

United States District Court  
Eastern District of Michigan  
Southern Division

Van Jenkins #172475  
plaintiff,

Case No. 4:19-cv-10738  
Hon. Matthew F. Leitman

V.

Access Securepak, Co., et al.  
Defendants.

Second Amended Complaint As ordered By The Court

1. On the date of Dec, 20, 2019 the Honorable Judge Matthew F. Leitman ordered that Plaintiff is to file a second Amended complaint by not later than May 18, 2020.
2. This second amended complaint must:
  - 1) identify the individuals who Jenkins believes violated his constitutional rights;
  - 2) specify how they did so.
3. This court ordered Plaintiff to pursue discovery where the Plaintiff shall attempt to discern the identities of all the individuals involved and the specific role they played in depriving him of his property without due process of law.
4. On the date of 1/3/2020 plaintiff filed his Amended complaint listing in part some named individuals on the Access Securepak package process, and due to the consumer protection complaint being filed the Defendants pursue Retaliatory prohibited conduct against the plaintiff thereby violating his constitutional rights, see the attached kite to K. Roark the Rurn describing each officer's Retaliatory activity and requesting for discovery materials involving these Retaliatory events. They refused to comply to the court's order of Discovery.
5. These officers that engaged in unconstitutional conduct was requiring expert witnesses from the Dept. of Civil Rights & Regulatory Agency that investigates claims against officers that participated in the deprivation of Plaintiff's Constitutional Rights, see Tampering witness 18 U.S.C. 1512 (a)(2) federal offense against plaintiff whom is a witness that has filed his complaint in court and before this regulatory agency.
6. The Dept. of Civil Rights' Rep. Tonya Barty stated attached herewith quote: "so that you are aware, the harassment and retaliation may continue even while the investigation is on-going. With that in mind, continue to document what happens to you so that once your case is assigned to an investigator you can provide them with whatever other information you believe they may need, unquote."

Poor Quality Original

7. Plaintiff believes participating in a protective activity was a factor in the series of retaliations and harassments. Because the court issued court orders even to proceed on in this case in *forma pauperis*.

8. This court has set forth in its order plaintiff may not be in a position to identify the proper defendants, but it is the duty of the district court to assist him, within reason, to make the necessary investigation, at 789-90; see also Staples v. United States, No. 16-cv-12367, 2016 WL 3611883 (E.D. Mich. July 6, 2016), the court addressing its necessary investigation by contacting the Expert witness Jenni M. Scheid, Civil Rights manager at email: [scheidj@Michigan.gov](mailto:scheidj@Michigan.gov).

9. The evidence and witnesses appearing before the Judge should be satisfactory the court wherein at such a hearing to be had, by their own oath, or otherwise, that material witness in his favor within the jurisdiction of the court, without whose testimony he/she cannot safely proceed to a hearing/trial, giving the name and place of residence of such witness, and where the Plaintiff is poor and cannot obtain the means to procure the attendance of such witness at the place of hearing/trial, the Judge may make an order that a subpoena be issued from the court for such witness in his favor, and that it be served by the proper officer of the court.

10. And it shall be the duty of such officer to serve such subpoena, and of the witness or witnesses named therein to attend the trial, and the officer serving such subpoena shall be paid therefor.

11. The attached Pleading entitled Court Judge Discovery Order To Be Enforced By Attorney General and Response letter from the Missouri Attorney General Eric Schmitt was filed with Missouri Attorney General Regulatory Agency. On March 4, 2020 a Sarah Sargent from the Missouri Attorney General's office refused to comply to this court's discovery order, which gave plaintiff reasons to believe that Sarah Sargent was compromised to not comply to the discovery order.

12. Efforts were made to obtain the Defendants' Records of the incidents in question by addressing The Michigan Dept. of Corrections Office Records And Files, 206 East Michigan Avenue, Lansing, MI 48909 on 4/22/2020 plaintiff filed in this court the attached HHS A093 Search And Search Warrant under the court's Discovery order, No response from the court was rendered.

13. The Defendants further conducted their ongoing Retaliatory activities as censoring Legal mail and pleadings, see the attached file addressed to B. Trowbridge Law Librarian and complaint to U.S. Postal Inspection Service-Criminal Investigation service center.

14. It is clearly a violation of the court's discovery order pursuant to the Federal Rules of Civil Procedures - Rule 37 the Defendants' failure to make disclosure or cooperate in discovery is a contempt of court;

15. If the Defendants fails to obey an order entered under Rule 26 (e) the court in which the action is pending may make such order(s) in regard to the failure to participate or cooperate in discovery shall impose the following sanction against the Defendants(s): Render a judgment by default.

16. Herem of this preadings with the attachments qualifies the Defendants to a default judgment for failing or refuse to disclose or cooperate in discovery, allowing the plaintiff support his claims in defense and a fair trial to be conducted.

Wherefore plaintiff request the court to entered a default judgment in this case and that the court order the clerk of the court to serve on all parties the certificate of default with the court's official seal affixed thereto;

### The Sworn Affidavit In Support

Affiant, Van Jenkins being deposed, sworn and says that this affidavit is pursuant to 28 U.S.C. 1746 that:

1. I am the plaintiff in this matter.
2. That the plaintiff has experienced a disability/disorder episode where he blacked out; and that the Michigan Parole Board has conducted a parole interview for parole, the parole Board entered a deferral until Mental Health provide records which has already been completed; affiant do not know at this time what change of address he shall relocate to;
3. The National Guards has conducted covid19 swap tests on the Gus Harrison correctional Facility and awaiting for results an extension of time may be required ordered by the court;
4. The Defendants having censoring legal mail, affiant request that this court order the U.S. Marshal to perform service of process of his Amended complaint; Further affiant sayeth not.

5/14/2020

Date

Van Jenkins  
Affiant's signature 28 U.S.C. 1746

- 3 - Right thumb print →

Date: 11/27/2020

To: K. Roark  
RUM

From: Jenkins #172475 Lock: B-25

Subject: Jenkins v. Access Securepack Co. & MDOC, case no. 4:19-cv-10738,  
Federal Court Discovery Order

Theres 2 serious matter pending in the Federal Jurisdiction of the Court where the Federal Judge has issued 2 discovery order requiring those involved with the Relatiory offenses being committed by obstructing the process of this court 12 U.S.C. 1512. To verify this discovery order cite the above case number to the following case manager, Holly A. Morris at: (210)-341-9764.

It shows from the Relatiory Agencies that have investigated found several of the ARF Officers and Staff Violating policy Directives and the constitutional rights of the Plaintiff in this case. The FBI has investigated the Memphis Police Dept. officers for operating on illegal enterprise, 3 number of these officers were arrested including some correctional officers. To really verify these allegations that gives rise to the pattern that the ARF Staff and officers are committing, I direct your attention to the following: David M. Hardy, the Records Management Division at: [www.fbi.gov](http://www.fbi.gov) Request NO. 1385887-000 Subject: Kirby, Charles,

This involved Human trafficking of children, and my child just so happen was singled out into this while I was on parole, while working I hired a private investigator to investigate, and she was authorized by the United States senator to investigate and provide a petition I had to sign. The private Investigator and the FBI shall be available to address these concerns.

At this time Discovery information is required by your office and those who aren't complying to access to court policy, such as J. L. Siegel not complying to legal mail policy where a Discovery order allows me to send legal mail to Relatiory Agencies and witness 5; P-unit counselor is not allowing this to happen and policy requires I be provided writing paper, envelope's and carbon paper. I'm sure you know what this looks like involving operations of an illegal enterprise.

Discovery Info. requested on the conspiracy of officers Miller, Brich, Vole, Grel Counselor Thompson of seizing property, such as a pad lock, that officer Brich seized along with Sony tape player Adaptor, and officer Vole seize Boich Tunes FM screen TV and leaving a net-21 piece in the bottom of my locker that is confidential, the prison or personal property policy states that the transfer of the security Facility is to itemize all property and note on the property receipt any damage or altered property. The receiving Facility is to not the same damage or altered property. How did this property is to not the same damage or altered property? If officer were planted all of a sudden is altered or became damaged? If officer were planted dangerous confidential in my locker, who could have altered or damaged the property? Disclosure request is made for proof as to who altered or damaged the property seized?

Counselor Thompson failed to obey/comply to the prisoner discipline policy to investigate the credibility of staff and prisoners witnesses. Why weren't this credibility investigated and noted in the report as required by the policy? This also includes officer Miller's provoking false misconduct on insolence that is not in compliance to employee discipline. Police Work Rule 47 of the Civil Service Commission Rules Disclosure Request is being made as to why you did not check the credibility of this officer?

Officer Groesbeck wrote a false Report stating that I - days due to the above cited ticket, when he was not at work 04/04/2018 when I was called into work. Groesbeck and J. Perry theres reasons to believe has caused inaccurate Food service pay where theres a Food Service Certificate under a MDOC contract with Gogebic Community College to train Prisoners in Food Service where I earned 27 college credits. To misallocate Food service payroll and disburse accurate income as required by court order - the proceeding months income 28 U.S.C. 1915 is due process and refusal to pay to the court the fees required or ordered. This is contempt of court 18 U.S.C. 401.

The Parole Eligibility Review Report is inaccurate as dated 1/21/2020 that Judy L. Siegel prepared and that you approved documents attached addressed that due to this illegal enterprise that my private Investigator found evidence regarding my child that I dated Amber Royle's that after investigation I learned was involved with the Romulus police officers of drug trafficking, prostitution and Obstruction of Justice by producing false police Reports, where these false Reports seem to be a pattern at A.R.F. So, now this constitute imminent danger because of what my private investigator hold evidence 18 U.S.C. 1512 requires for me and my son be placed into U.S. Marshals witness protection program. The Attorney Donald R. Cook whom have made the following Plea Agreement with the prosecutor where it was breached and not enforced by the Attorney Donald R. Cook, where the Judge issued a Discharge time served that was provided to the parole Board.

The expert witness examined the process of the plea Bargain ATTORNEY Donald R. COOK arranged stated as follows:

The defendant Jenkins is entitled to specific performance or to withdraw his plea when the plea agreement reached was for a 2 yr. probation sentence concurrent to any parole violation, where 7 mandatory consecutive sentence is required upon conviction when someone commits a crime while on parole.

Once the court accepts the plea induced by the agreement the terms of the agreement must be fulfilled. Attorney Donald R. Cook stated to the Judge "Your Honor, except for the fact that he's got probation in this case and its concurrent, and that's the basis for taking of the plea (ST, 10-72-2013, p.6). The court responded well, it has running complete (ST, 10-72-2013, p.7), then the less no defendant that you would suffer, Mr. Jenkins (ST, 10-72-2013, p.7).

NOW after the Agreement is registered and on file that the 2yr. probation concurrent with my parole violation means that concurrent is ran together or operating at the same time under the same jurisdiction. The 3rd Judicial Circuit Judge issued an order For Discharge time served. A copy was provided to the Parole Board whom have disregarded this discharge and is conducting this as consecutive when that is not the Agreement. Even though this was an illegal charge that occurred as a result of me hiring a private investigator to protect my child.

So, theres no parole Board requirement of programs to participate in where the parole Board must comply to the discharge order. This arise to a lawsuit where the Federal Court must enforce the Plea Agreement for Discharge.

Under this Discovery order it is requested for disclosure as to why the Parole Board refuse to comply to the Discharge Order. Why the ARF Law Librarian(s) B. Toeplitz & Associates, Foster refused to provide photocopies complying to the court's ~~Discovery~~ order?

The prisoner personal property policy PD.04.07.112 defines Legal property as being exhibits and items like pocket, Adapter and Cleo Tunes Flat screen TV are exhibits/items and under discovery defines discovery evidential items are tangible things or items, these items under the Discovery order require the to have in my possession, why is the ARF Administration prohibiting me for having these evidential items in my possession? As the court have a date deadline I request for Discovery Disclosure within 10 days as require by the Administrative Procedures Act.

Date: 3/24/2020

To: B. Trowbridge  
Law Librarian

From: Jenkins #172475 Lock: B-25

Subject: Policy Directive Notice of Subpoena  
Failure To Comply To Federal court's Discovery order

This is to inform you that you and Mrs. Foster will be subpoenaed to state and Federal court at a hearing involving your non compliance to photo copies required for court review. Your denials of the reasons for your non compliance to the Access To Court policy shall be questioned. Please bring the photo copies along with all photo copy forms citing the reasons for denial of photo copies.

You have contributed to imminent danger of a child in which, out of all persons, you as a female and possible mother should understand why it is important to protect a child. You have shouted out loud in the Law Library for prisoners to hear about Human trafficking in which these children are subjected to.

You must realize that you not only place my child in danger, but if you have children, you may be placing them in danger as well, because there are prisoners that are in here or prison that have participated in the Romulus police officer's illegal enterprise involving drug trafficking and prostitution. You claim to not believe anything I state, but see if you can find out about the FBI arresting Charles Kirby who was the police chief of the Romulus Police Dept. He has family that still works for this government. If they find out that you or officers are causing the surfacing of evidence, where correctional officers were arrested as being involved with the illegal enterprise. I suggest that you speak to the same Federal officers that arrested these officers.

You have stepped out of the scope of our policy directive such as the Access To court requires and state that a prisoner "shall" be provided photo copies of research documents that can be acquired from the Law Library.

That prisoners "shall" be provided photo copies of documents in their possession for a lawsuit and for serving party's to a lawsuit, That if a prisoner do not have the funds that the funds will be loaned to him.

It do not require you to "circumvent" the policy and make up Rules that haven't went through the proper process for your convenience. You are not a lawyer or licensed Attorney, you do not have the authority to determine what is relevant to send to the court, I did not sign any adhesive contract for you to legally represent me in this case.

How will you explain stepping out of the scope of the policy and statutory law. If you acted as cited above showing you provided photo copies for research purposes documents in the possession of the prisoner or why the denial was made when it said "shall". Where in Photo copy forms can you prove you did not step out of the scope of your authority. There is no protection for you when you step out of the scope of the law and policies. These same officers that were arrested by the FBI did the same stepped out of the scope of their authority, and you are no exception.

When the FBI comes to you regarding imminent danger of these children, just say you was doing your job. In the court during the subpoena holding it will show your Civil Service Commission Rules Violations that shall be processed in court or through the court to the Civil Service Commission.

Learn more at [www.fbi.gov](http://www.fbi.gov) on Charles Kirby and Amber Boyles. See you in court.

USPIS - Criminal Investigation Service Center  
Reference No. C K RS 01351455238 C1927255

Detroit U.S. Postal Service  
Supervisor Customer Service Van Jenkins  
Sarah J. Stiver 44(517)-263-3785 Reg. No. 172475  
CORE Reference No. 015305 2727 East Beecher Road  
Manager Adrian, Michigan 49221

U.S. Postal Inspection Service

Criminal Investigation Service Center  
433 West Harrison Street Room 3255  
Chicago, IL 60699-3255

1/15/2020

RE: Jenkins v. Ace Security Co., Case No. 4:19-cv-10738  
Discovery Order by Federal Judge

Dear Sir/Madam:

This entire matter is being brought to your attention as there's a pending civil action being obstructed where there's reasons to believe legal mail enroute to the court or Regulatory Agency is not being received. Investigation is required as the Federal Judge has ordered this information to be addressed involving the incidents being committed in the jurisdiction of the court's involving its process of responsive pleadings with Exhibits, 18 USC, 401.

The expert witness at the Michigan Dept. of Civil Rights is Monique Coffey, service Rep. assigned case number 497386 did not receive a notarized complaint she sent for me to be notarized and returned to her in their business reply envelope. Expert witness Tonya Berry, service Rep. at the same agency under the ~~497386~~ assigned case no. 500695 sent another retaliatory complaint by involving retaliation sent a complaint to be notarized and returned to her for my investigation was not received to my knowledge. Their contact info, is Dept. of Civil Rights, 14th flr, 3001, 3054 West Grand Blvd., Detroit, Michigan 48202-6054 Tel. (313) 456-3700/WEB, www.michigan.gov.

The following Legal Service Organization was sent two legal letters containing legal exhibits where there's reasons to believe they did not receive said legal mail as they are rather prompt with their responses, especially where there is a court date deadline to meet.

On the date of 12/30/2019 I mailed a legal letter involving the Judge's Discovery order with Exhibits of evidence to the following Legal Service organization, Susie Greenbauer, Client Services, P.O. Box 687, Grand Haven, Mich. 49417 / Tel. (616)-935-0075 humanityforprisoners.org www.humanityforprisoners.org the court's date deadline is Jan. 17, 2020 in which this Legal Service organization were to provide legal information to address to the Judge that has ordered this information to be addressed in responsive pleadings. To date no response has been made.

The attached Exhibits show other legal mail having been complied to, The Secretary of the State has on file my Registered Financial Responsibility Bond as required by 49 U.S.C. 30106 & M.C.L. 257.517(1) on file under my Driver's Permit No. J-525 837 014 077 copies of this Bond having on the face of the Bond - "Financial Responsibility" HJR-192 copies of traffic accidents including traffic tickets is being sought and I request that your agency acquire these records for presentation under the U.S. Const. 6th Amend. Right to Witnesses in my favor.

The two witnesses Pamela Bates and Debbie Polk Mazur still live at the areas as they are persons with disabilities and placed ~~the~~ by the Health & Human Services with living guardians, so they are at these addresses and are witnesses.

I look forward in receiving the report containing the requested information to provide to the court. Thank you for your services,

Sincerely,  
Wm Jenkins

C.C. file Dept. of Civil Rights

ENCLOSURES: ~~HJR~~  
HUMANITY FOR PRISONERS  
SECRETARY OF STATE  
PAMELA BATES  
Debbie Polk Mazur

MICHIGAN DEPARTMENT OF CORRECTIONS

CSJ-318

## DISBURSEMENT AUTHORIZATION (EXPEDITED LEGAL MAIL - PRISONER)

REV. 11/15 4835-3318

Please PRINT clearly, illegible and/or incomplete forms will not be processed.

Lock B-25 Institution AREPrisoner Number 172475Prisoner Name Jenkins

Type or Print Clearly

 Legal Postage Filing Fee

\$

 Certified Mail (Must Be a Court Ordered Requirement) New Case Case Number4:19-CV-10738

Pay To

State of Michigan  
United States Inspection Service  
Criminal Investigation Service Center  
433 West Harrison Street, Room 3255  
Chicago, IL 60699-3255

The Following Section Must Be Completed In Authorizing Staff Member's Presence

Prisoner Signature Vern JenkinsDate & Time Submitted 11/15/20 19130Received by SIEGELStaff Signature [Signature]

Type or Print Name &amp; Title

Date & Time Received by Authorizing Staff 1.15.20 1 69:26

## Authorization Denied

- Does not meet definition of legal mail or court filing fee as identified in OP 05.03.118
- Not hand delivered to authorizing staff member
- Does not include court order for handling as certified mail
- Prisoner refused to sign & date in staff member's presence
- New case or case number not on form
- Other (explain) \_\_\_\_\_

Denied by

Type or Print Name &amp; Title

Signature \_\_\_\_\_

Signature Below to be completed by Mail Room Staff

Placed in Mail by Elliott Gaa  
Type or Print Name & TitleSignature Elliott Gaa133 Postage Amount \$ .65Date Placed in Outgoing Mail 11/15/20Postage \$ .65

Total

 Court Filing Fee Denied Due to NSFFiling Fee \$

Check # \_\_\_\_\_

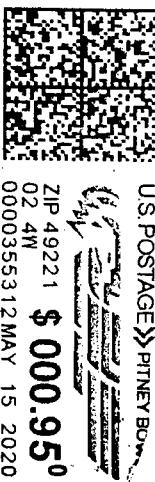
Date Copy Sent to Prisoner 11/15/20

Processed by

Type or Print Name & Title Elliott GaaSignature Elliott Gaa

Van Jenkins  
Reg. No. 172475  
BJS Harrison  
Correctional Facility  
2727 East Beecher Road  
Arlin, Mich. 49221

F / L E D  
AUG 07 2020  
U.S. DISTRICT COURT  
FLINT, MICHIGAN



repostmark  
5/15/20

Howy A. Wonda  
Case Manager  
UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
OFFICE OF THE CLERK  
THEODORE LEVIN UNITED STATES COURTHOUSE  
231 WEST LAFAYETTE BLVD., ROOM 564  
DETROIT, MICHIGAN 48226